United Nations E/C.12/SVN/Q/2

Economic and Social Council

Distr.: General
24 June 2014

Original: English

Committee on Economic, Social and Cultural Rights

List of issues in relation to the second periodic report of Slovenia*

I. General information

1. In view of the fact that the provisions of the Covenant are directly applicable in the State party, please provide information on cases, if any, in which the Covenant has been invoked before, or applied by, the courts.

2. Please provide information as to whether steps have been taken to ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, pursuant to the State party's voluntary pledge at the universal periodic review in 2010.

3. Please provide information on the measures taken to bring the status and the capacity of the Human Rights Ombudsman of the Republic of Slovenia into line with the Paris Principles.

II. Issues relating to the general provisions of the Covenant (arts. 1–5)

Article 2, paragraph 1 – Maximum available resources

4. Please provide information on steps taken to prevent and combat corruption at all levels of public administration and its negative effect on the enjoyment of economic, social and cultural rights, as well as on the number of prosecutions and the sentences passed, if any, against high-level officials found guilty of such conduct. In addition, please provide information on protection afforded to those who report cases of corruption.

5. Please indicate the extent to which the obligations of the State party under the Covenant have been taken into account in its implementation of austerity measures and in its bilateral discussions with International Monetary Fund.

* Adopted by the pre-sessional working group at its fifty-third session (26–30 May 2014).

Article 2, paragraph 2 – Non-discrimination

6. Please indicate whether the State party's legislation prohibits discrimination on all grounds, including indirect discrimination. In view of the fact that very few cases of discrimination are reported and prosecuted, please inform the Committee about the measures taken to ensure that victims of discrimination have effective access to redress.

7. Please provide information on the steps taken by the State party to eliminate discrimination on the grounds of sexual orientation, including respecting the decisions of the Constitutional Court regarding the unconstitutionality of the Registration of a Same-Sex Civil Partnership Act and the Inheritance Act, and amendment of the discriminatory provisions contained in legislative and executive acts such as the Health Care and Health Insurance Act, the Housing Act, the Code of Obligations, the Penal Code, the Enforcement of Criminal Sanctions Act, the Criminal Procedure Act, the General Administrative Procedure Act, the Civil Procedure Act and the Marriage and Family Relations Act.

8. Please indicate the extent to which measures taken by the State party have been effective at addressing the discriminatory situation experienced by Roma in fields such as housing, employment and health.

9. Please provide information on steps taken to remove continuing obstacles to regularization of the situation of persons deprived of domestic legal status in the State party, the so-called "erased" persons, a large number of whom are still denied their economic and social rights in spite of the 1999 and 2003 Constitutional Court decisions on the illegality of erasure.

10. Please indicate whether steps have been taken to strengthen the State party's legislation with regard to the obligation to provide reasonable accommodation for persons with disabilities. Please also indicate whether measures taken by the State party are aimed at de-institutionalization and have improved the enjoyment of the right to education, the right to work, the right to health and the right to social security for persons with disabilities.

Article 3 – Equal rights of men and women

11. Please provide information on court cases concerning discrimination on the grounds of sex, brought under the Principle of Equal Treatment Act, that relate to violations of economic, social and cultural rights.

III. Issues relating to the specific provisions of the Covenant (arts. 6–15)

Article 6 – Right to work

12. Please inform the Committee about adjustments made to the labour market regulations since the beginning of the current economic crisis and the extent to which they have affected workers' rights. Please also provide information on the concept of "flexicurity" that was introduced under the 2010 Labour Market Regulation Act and explain to what extent it provides effective protection against unfair dismissal.

13. Please inform the Committee about the impact of the 2007–2013 active employment policy programme that is referred to in paragraph 56 of the State party report, and about other measures to address unemployment among young people and first-time jobseekers.

14. Please provide information on the impact of measures to facilitate employment for workers who have been made redundant as a result of the privatization of public enterprises.

Article 7 – Right to just and favourable conditions of work

15. Please provide information on the regulations in place, as well as their application, to protect workers against the accumulation of unpaid wages owed by companies that are in situations of financial difficulty. Please also provide information on the impact of measures taken to protect employees against abusive practices by employers which violate the right to just and favourable conditions of work for migrant workers.

16. Please provide information on the capacity of the labour inspectorate to implement its mandate, in particular to systematically monitor workplaces.

Article 8 – Trade union rights

17. Please provide information on steps taken to adopt legislation guaranteeing the right to strike, as well as on steps taken to strengthen legislative sanctions against anti-union activities.

Article 9 – Right to social security

18. Please explain how the implementation of stricter legal provisions regulating eligibility for social security transfers has improved the social status of the most vulnerable groups, such as the unemployed, persons with disabilities and older persons. Please also provide information on the strategies adopted to ensure a fair balance between austerity measures and maintaining an adequate level of social security.

Article 10 – Protection of the family, mothers and children

19. Please provide information on changes introduced in the new Family Code as they pertain to protection of the rights under article 10 of the Covenant.

Article 11 – Right to an adequate standard of living

20. Please indicate whether steps have been taken by the State party to bring its legislation and practice of forced evictions into conformity with international human rights standards. Please also provide statistical data on evictions carried out during the last five years.

Article 12 – Right to physical and mental health

21. Please provide information on the impact of the implementation of the 2011–2016 National Mental Health Programme on the accessibility of quality mental health care, including of community-based care.

Articles 13 and 14 – Right to education

22. Please inform the Committee about the steps taken to improve the school results of Roma children and to reduce their dropout rates. What measures has the State party taken to eliminate both discrimination against Roma children and the segregation of Roma children in the education system?

23. Please provide information on the measures adopted and steps taken to ensure equal access to education, and quality education across regions. Please also indicate whether accompanying measures are in place to ensure that higher education remains equally accessible to all, on the basis of capacity, following the adoption of the Higher Education Act.

24. Please inform the Committee about the steps taken to include human rights as an integral part of the school syllabus.

Article 15 – Right to enjoy the benefits of scientific progress

25. Please indicate the extent to which research projects impacting on the realization of economic, social and cultural rights are prioritized in the State party's National Research and Development Programme.

26. Please indicate the measures taken by the State party to ensure affordable access to the Internet by disadvantaged and marginalized individuals and groups, as well as in rural areas.